

From: Cassell, Peter
To: [Pierard, Kevin](#); [Swenson, Peter](#)
Cc: [Henry, Timothy](#)
Subject: Fwd: deadline question about MI CWA authority
Date: Wednesday, October 19, 2016 5:16:30 PM

Can you help me answer this question? I'm not familiar with the rules in Michigan.

Pete Cassell
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Sent from my mobile device - please pardon typos.

Begin forwarded message:

From: Steve Verburg <SVerburg@madison.com>
Date: October 19, 2016 at 4:50:55 PM CDT
To: " (cassell.peter@epa.gov)" <cassell.peter@epa.gov>
Subject: deadline question about MI CWA authority

Pete,

Following up on our phone conversation, I'm interested in knowing if there are differences between Michigan's authority under CWA and Wisconsin's.

I'm writing about Aquila's Back Forty mining project in the U.P. I was told that the authority delegated to Michigan means EPA and ACOE are less involved in permitting the mine (compared to the way it has been done in Wisconsin) and Michigan isn't obligated to consult with the Menomonee Indian Tribe of Wisconsin about sites that have cultural significance off-reservation on the mine site.

The way it was told to me was that only Michigan and N.J. have this particular authority under the act.

Any light you can shine will be much appreciated. I'm writing for the weekend and being asked to file by the end of the day tomorrow.

Thanks,

Steve Verburg
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